

REMARKS

This Response is submitted in reply to the Office Action dated November 15, 2006. Claims 1, 8, 26, and 31 have been amended. No new subject matter has been added to the Claims.

A Petition for a Three-Month Extension of Time is submitted herewith. A Request for Continued Examination is submitted herewith. The Commissioner is hereby authorized to charge deposit account 02-1818 for the cost of the Three-Month Extension of Time, the RCE and any other fees which are due and owing.

Claims Rejections – 35 USC §102

The Office Action rejected Claims 1-3, 26, 27, 29, 31, 32 and 34 under 35 U.S.C. §102(b) as being anticipated by Schaefer (U.S. Patent 3,182,746). Claim 1 sets forth the following: "a sound regulator operatively coupled to the vocal sound receiver." Claim 26 sets forth the following: "enabling the vocalist to regulate a characteristic of the vocal sound which is transmitted from the first portion of the device to the third portion of the device." Claim 31 sets forth the following: "enabling the user to regulate a characteristic of the vocal sound which is directed to an ear of the user."

Applicants submit that Schaefer does not disclose such elements of such Claims. Accordingly, Applicants respectfully submit that Claims 1-3, 26, 27, 29, 31, 32 and 34 are patentable over Schaefer.

The Office Action rejected Claims 1-3, 26, 27, 29, 31, 32 and 34 under 35 U.S.C. §102(b) as being anticipated by Atkinson (U.S. Patent 738,593). Claim 1 sets forth the following: "a sound regulator operatively coupled to the vocal sound receiver." Claim 26 sets forth the following: "enabling the vocalist to regulate a characteristic of the vocal sound which is transmitted from the first portion of the device to the third portion of the device." Claim 31 sets forth the following: "enabling the user to regulate a characteristic of the vocal sound which is directed to an ear of the user."

Applicants submit that Atkinson does not disclose such elements of such Claims. Accordingly, Applicants respectfully submit that Claims 1-3, 26, 27, 29, 31, 32 and 34 are patentable over Atkinson.

The Office Action rejected Claims 1-4, 26, 27, 29, 31, 32 and 34 under 35 U.S.C. §102(b) as being anticipated by Mickelson (U.S. Patent 6,229,901). Claim 1 sets forth the following: "a sound regulator operatively coupled to the vocal sound receiver." Claim 26 sets forth the following: "enabling the vocalist to regulate a characteristic of the vocal sound which is transmitted from the first portion of the device to the third portion of the device." Claim 31 sets forth the following: "enabling the user to regulate a characteristic of the vocal sound which is directed to an ear of the user."

Applicants submit that Mickelson does not disclose such elements of such Claims. Accordingly, Applicants respectfully submit that Claims 1-4, 26, 27, 29, 31, 32 and 34 are patentable over Mickelson.

Claims Rejections – 35 USC §103

The Office Action rejected Claim 4 under 35 U.S.C. § 103(a) as being unpatentable over Schaefer in view of May (U.S. Patent 2,998,497) or Golliher (U.S. Patent 5,407,113). Claim 1 sets forth the following: "a sound regulator operatively coupled to the vocal sound receiver." Neither Schaeffer nor May nor Golliher render obvious such element. Therefore, Applicants submit that Claim 4 is patentable over Schaefer in view of May or Golliher and is condition for allowance.

The Office Action rejected Claims 8-15 under 35 U.S.C. § 103(a) as being unpatentable over Atkinson in view of Bonecutter (U.S. Patent 2,481,387) or Malekos (U.S. Patent 4,481,256). Claim 1 sets forth the following: "a sound regulator operatively coupled to the vocal sound receiver." Claim 8 sets forth the following: "a sound regulator operatively coupled to the vocal sound receiver." Neither Atkinson nor Bonecutter nor Malekos render obvious such element. Therefore, Applicants submit that Claims 8 to 15 are patentable over Atkinson in view of Bonecutter or Malekos and are condition for allowance.

An earnest endeavor has been made to place this application in condition for formal allowance and is courteously solicited. If the Examiner has any questions regarding this Response, the Applicants respectfully request that the Examiner contact the undersigned.

Respectfully submitted,

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